

REMARKS

This is intended as a full and complete response to the Office Action dated October 7, 2003. Claims 1, 3-6, 9-17, and 20-25 stand rejected and claims 7 and 18 stand objected to as being allowable if rewritten to include the base claim and any intervening claims.

The Applicant without prejudice has amended claims 1, 3-5, 9, 12, and 20, canceled claim 6, and added new dependent claims 26-27, based on objected claims 7 and 18 with their respective independent claims. Thus, new independent claims 26-27 should be allowable based on the Examiner's statements. The Examiner is respectfully requested to reconsider the rejections on the other claims and to contact the undersigned if there are any remaining issues that the Examiner believes could be resolved in an interview that would result in an allowance.

Claims 1 and 3-6 stand rejected for informalities. The Applicant has changed "the" to "a" before the phrase "rigid upper portion" in claim 1. The dependencies of claims 3-5 has been changed to depend on claim 1, and claim 6 can be canceled without prejudice. The Examiner is respectfully requested to withdraw the rejection.

Claims 1, 3, 6, and 9-11 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Pat. 6,335,907 ("*Momich*"). The Examiner states that *Momich* teaches a reusable container for medicines, namely a tube, with an updatable electronic intelligent tag having an exterior collapsible portion (tube) below the rigid upper portion (cap).

The Applicant respectfully traverses the rejection. *Momich* does not teach, show, or suggest a collapsible container for household products consisting of detergents and cleaning products, as presently recited in the claims. There is no teaching, showing, or suggestion to

apply *Momich* from medicines to detergents and cleaning products. One of ordinary skill in the art would not look to *Momich* to develop a detergent and cleaning product portable reusable container. The Examiner is respectfully requested to withdraw the rejection.

Claims 1, 3-4, 6, 9-15, 17, and 20-24 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Pat. 6,426,699 to Porter (“’699”), which incorporates U.S. Pat. 5,774,053 to Porter (“’053”). The Examiner states that ‘699 teaches a reusable container for household products, referring to the figures, which comprises an updatable electronic intelligent tag adapted to be reprogrammable with information related to one or more household products stored in the reusable container having an exterior collapsible portion (104 in ‘699).

The Applicant respectfully traverses the rejection. The *Porter* references do not teach, show, or suggest a portable reusable container for transporting household products as recited in the claims, but rather a storage box that is affixed to a support structure to discourage theft and encourage safe secure storage of containers delivered to the support structure. Further, the *Porter* references do not teach, show, or suggest an impermeable interior for the storage of detergents and cleaning products to which the term “household products” is specifically restricted in the claims. The Examiner is respectfully requested to withdraw the rejection.

Claims 1, 5, 12, and 16 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Pat. 5,347,453 (“*Maestre*”). The Examiner states that *Maestre* discloses a reusable container for medicine having an updatable electronic intelligent tag comprising an exterior collapsible portion (straps) below the rigid upper portion. The mounting support base is made of elastomeric material such as elastic, foam or rubber, where foam is inherently collapsible.

The Applicant respectfully traverses the rejection. *Maestre* does not teach, show, or suggest a relevance to detergents and cleaning products. Further, *Maestre* has no collapsible portion having an impermeable interior for receiving the household products. The Examiner is respectfully requested to withdraw the rejection.

Claims 20-25 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Pat. 6,259,654 ("654"). The Examiner states that '654 teaches a process of using an identification means comprising providing an adaptable electronic intelligent tag with a medicinal reusable container and monitoring and recording information during refilling of the container.

The Applicant respectfully traverses the rejection. The '654 reference does not teach, show, or suggest cleaning and detergent products. Further, the '654 references does not teach, show, or suggest a collapsible portion having an impermeable interior. The Examiner is respectfully requested to withdraw the rejection.

In conclusion, the references cited by the Examiner, neither alone nor in combination, teach, show or suggest the present invention. Therefore, it is believed that the rejections made by the Examiner have been obviated, and Applicant respectfully requests that the same be withdrawn. Allowance of the claims is therefore requested.

Respectfully submitted,

Date: 12/5/03

D. Brit Nelson
D. Brit Nelson
Registration No. 40,370
LOCKE LIDDELL & SAPP LLP
Suite 3400
600 Travis Street
Houston, Texas 77002-3095
713-226-1361
713-223-3717 (Fax)
Attorneys for Applicant